

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

NO. 19-CR-10040

JEFFREY W. YOUNG, JR.,

Defendant.

TRANSCRIPT OF THE JURY TRIAL
BEFORE THE HONORABLE JOHN T. FOWLKES
AFTERNOON SESSION
GOVERNMENT'S OPENING STATEMENT

MONDAY

MARCH 27, 2023

TINA DuBOSE GIBSON, RPR
OFFICIAL REPORTER
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UNREDACTED TRANSCRIPT

A P P E A R A N C E S

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THE COURT: All right. Thank you, Mr. Ferguson.

We are going to go ahead and proceed with opening statements at this time. And so it will be -- the Government, you may proceed.

MR. PENNEBAKER: Andrew Pennebaker for the government, Your Honor. We have a few slides that I've shared with Mr. Ferguson. I don't think that there's any objection.

THE COURT: Is that correct, Mr. Ferguson?

MR. FERGUSON: That's correct.

THE COURT: If there's any objection, just let me know.

You may go ahead and proceed.

MR. PENNEBAKER: Members of the jury, first, I want to echo what Judge Fowlkes has said repeatedly about your time and how everyone at these tables is so grateful for you taking time out of your lives to come and decide this matter that's so important to the stakeholders here. Thank you for helping justice to be done in the United States of America. It's such a huge part of what makes our country great, and we appreciate it.

1 Medical professionals hold a special position of
2 trust in our communities. They're trusted to care for the
3 sick. They're trusted to be healers. As a family nurse
4 practitioner in Jackson, Tennessee, that's how the defendant,
5 Jeff Young, held himself out in his community. But the
6 evidence will show that the defendant used his position of
7 trust and his power to prescribe dangerous drugs like opioids
8 for other purposes: To get sex, to get fame and to get money
9 as the Rock Doc, a character the defendant invented for
10 himself and then shopped to major networks hoping to land a
11 reality TV series where he was the star.

12 And what you see behind me are screenshots from
13 that effort set at the defendant's PREVENTAGENIX clinic.
14 You're going to see some of that footage during the trial.
15 That and the other evidence you'll hear in this case will
16 show how Jeff Young's friends, his girlfriends, his
17 hangers-on and others, who had something he wanted, could
18 come to PREVENTAGENIX and get the prescriptions they wanted
19 from the so-called Rock Doc, how that was particularly true
20 if they were young and female. And you'll hear how the
21 prescriptions these patients wanted were for what are called
22 "controlled substances."

23 You've heard a little bit about that already.
24 These are drugs that have medical uses but also a high
25 potential for abuse. And they include opioids like

1 oxycodone, hydrocodone and even fentanyl, one of the
2 strongest and most dangerous narcotics out there.

3 In addition to opioids, you'll hear about other
4 types of controlled drugs the defendant prescribed. Drugs
5 used to treat muscle spasms, like, carisoprodol, also known
6 as Soma; drugs needed to treat anxiety, like, alprazolam,
7 also known as Xanax and clonazepam, also known as Klonopin;
8 and stimulant drugs used to treat attention disorders like
9 Adderall. You'll hear how these drugs can be deadly. You'll
10 hear how they can get people hooked. They can ruin lives and
11 families. So under most circumstances, they are illegal to
12 possess and distribute.

13 The difficulty, though, is some of them have
14 legitimate medical purposes. And so our laws entrust people
15 with special training, doctors, nurse practitioners, like the
16 defendant, with the important job of making sure they are
17 only used to -- only used and distributed when they are
18 legitimately needed for a medical purpose. And if they
19 aren't, if someone uses or distributes them for some other
20 purpose to get high, to get sex, to get famous, then they're
21 not practicing medicine. They're just dealing drugs. And
22 that's true even if someone has a license as a nurse or wears
23 a stethoscope. Drug dealing is still illegal.

24 You'll hear evidence that the defendant's
25 prescribing at PREVENTAGENIX often had nothing do with the

1 standard of medical care. He used his position of trust and
2 that prescribing power in the pursuit of sex, fame and money.
3 Ladies and gentlemen, here's how those three things -- sex,
4 fame and money -- fueled what happened at PREVENTAGENIX.

5 First, you'll hear how Jeff Young used his
6 prescription pad to get sex. How he would ply women who were
7 half his age with prescriptions for powerful, addictive
8 opioids like oxycodone and even fentanyl, how he prescribed
9 other addictive drugs along with these opioids increasing the
10 potential danger. And how he used these woman for sexual
11 gratification often right there in his office at
12 PREVENTAGENIX.

13 You'll hear how Jeff Young's prescribing fed
14 addictions, how families tried to warn the defendant that
15 their loved ones were abusing or selling the medications and
16 that oftentimes he just ignored these warnings.

17 You'll see evidence from the defendant's cell
18 phone and social media accounts obtained by investigators
19 through search warrants how Young groomed women seeking pills
20 from him.

21 Before the Government rests, you'll hear from
22 Tennessee Bureau of Investigation Agent Demarcus Scales
23 sitting here at counsel table with us. He'll walk you
24 through examples of some of this. And Ms. Payerle gave you a
25 fair warning, I think, that some of this evidence is

1 explicit.

2 Agent Scales will show you how the instant
3 message conversations in white matched or corresponded with
4 data in gray from what's called the state's prescription
5 monitoring program or the CSMD database. You'll hear about
6 CSMD. The CSMD database is where pharmacies report what
7 controlled drugs they dispense to whom.

8 In this one, the defendant describes 270 pills of
9 the powerful opioid hydrocodone to a woman in a three-month
10 period. During the same time, Jeff Young exchanges explicit
11 images with the woman. At one point asking her, whether I
12 need to prepare my office and instructing her, wear a short
13 skirt and no panties, to which she says, yes, sir.

14 Here's another example where Young's exchanging
15 explicit images with a different woman as he prescribed
16 oxycodone to her in large quantities. At some point the
17 woman asks for another frequently abused drug by name, the
18 muscle relaxer, Soma. Doc, you seriously going to put me
19 back on Soma. So what happens? The Rock Doc prescribes.
20 And afterwards she thanks him for taking care of her. Not
21 with just the sex and satisfaction, but the Soma. Couldn't
22 be clearer.

23 You'll hear from Agent Scales about many other
24 woman who received prescriptions from Young for opioids and
25 other drugs at or near the time exchanges like these took

1 place. These are a couple of examples of many. So that's
2 the sex.

3 Then there's the fame that the Rock Doc wanted.
4 Overprescribing to addicts serve another important purpose
5 for Jeff Young. To him, it meant a large and devoted fan
6 base. You'll hear how Young wanted to be famous so badly
7 that he created and paid a professional production company to
8 help him create and promote RockDoc TV. The evidence will
9 show that at the height of his prescribing at PREVENTAGENIX
10 Young was convinced that he had obtained the celebrity status
11 he wanted. And in Jackson maybe he had. You'll hear how
12 this is a real flyer that the defendant created because he
13 wanted to give back to his fans, to give them a chance to
14 sail away with the Rock Doc.

15 The evidence will show that the defendant wanted
16 a large and devoted fan base to combat what he called "his
17 haters." You'll hear that he thought there were people out
18 to get him, people like his ex-wife, former business
19 partners, employees, nursing board, whoever, that he believed
20 were jealous of him or didn't believe in his rock and roll
21 lifestyle.

22 You'll hear a recording where the defendant tells
23 an investigator with the nursing board that all of the
24 complaints about him are really just a witch hunt. After the
25 evidence is in, you'll be the judges of that.

1 Finally, there's money. Jeff Young inspired to
2 be rich so he packed PREVENTAGENIX with more and more people
3 by prescribing more and more drugs. And you'll hear that the
4 wait to see Young at PREVENTAGENIX got longer and longer as
5 more and more drug seekers became customers. You'll hear
6 that a steady stream of pain patients was actually part of
7 his business plan. The defendant's overprescribing meant
8 more patients, and, theoretically, more patients meant more
9 money. So he prescribed over a million pills in a two-year
10 period.

11 Now, money wasn't the only form of payment the
12 defendant accepted. You'll see evidence that Jeff Young used
13 what he called the "barter system" at PREVENTAGENIX. The
14 defendant wrote prescriptions for controlled drugs for tattoo
15 artists, members of famous rock bands and owners of local
16 clubs. He even had what he called his "body guards." Of
17 course, he didn't pay them with money. They were receiving
18 scripts. They were to protect him from his so-called haters.

19 You'll see evidence that he would write
20 prescriptions for these people without consults, without an
21 office visit, even if they failed drug screens. And in the
22 face of other signs, the pills he prescribed were being
23 abused.

24 The evidence will show that if you had something
25 the Rock Doc wanted, there was literally a different door

1 into his clinic for you. Here's an example you'll see of an
2 exchange between Jeff Young and a famous musician. The
3 evidence will show that by the time of this exchange, the
4 defendant had already started prescribing him Adderall, a
5 powerful stimulant. When the rock star asked Jeff Young how
6 to get his Adderall prescription refilled, the defendant
7 responds by asking him to come into PREVENTAGENIX to get a
8 prescription. He really needs to establish a chart. You'll
9 hear that establishing a chart is what you're supposed to do
10 before you prescribe a drug like Adderall.

11 The evidence will show that Rock Doc would break
12 the rules for what he called his VIPs. So after telling his
13 client he needs to come in this time, the defendant assures
14 him, we'll bring you in through the VIP entrance. That's the
15 way the Grizz executives do it and my other high end clients.
16 We have a discreetness policy. Special door for you if
17 you're VIP.

18 Members of the jury, I want to pause here to make
19 something very clear, and it's important that you understand
20 this and keep it in mind. Jeff Young is not now and will
21 never be on trial because he liked to have sex with women or
22 because he has tattoos or because he lived a rock and roll
23 lifestyle or because he wanted to be famous. We all know
24 that none of that is illegal. We set aside our biases in
25 that regard.

1 He's here because the evidence will show that he
2 used his power to prescribe controlled substances in order to
3 get those things when they weren't medically necessary. This
4 is a case about whether the defendant prescribed outside the
5 scope of professional practice and without a legitimate
6 medical purpose. That's what this case is about.

7 So I want to be clear that your job after you
8 hear all the evidence, is to decide whether the Government
9 has proven that Jeff Young broke the law in the ways charged
10 in the indictment. I would review those charges with you,
11 but you all probably -- you've heard them, I think, now three
12 times. And so I'm not going to do that again. I'm just
13 going to cut to how the Government is going to prove these
14 very serious federal crimes.

15 Let's talk about what the Government is going to
16 introduce. It's going to take several forms. Some of it
17 you've already heard about. Some of it you just saw like
18 text messages. There will be documents, photographs,
19 recordings, and you'll hear from several kinds of witnesses.
20 The judge talked to you a bit about hearing from the
21 witnesses and the credibility of the witnesses.

22 First, you'll hear from experts. Dr. Tricia
23 Aultman and Nurse Natalie Seabolt will tell you these drugs
24 were distributed outside the scope of professional practice
25 and without a legitimate medical purpose. We will walk you

1 through the evidence so you can see why these prescriptions
2 were improper and illegal.

3 They'll tell you how Jeff Young's controlled drug
4 prescribing often lacked any legitimate medical purpose at
5 all. And Dr. Aultman will talk to you about the specific
6 patient files, including Hope Rogers. And that's the woman
7 to whom the defendant prescribed while she was pregnant.

8 You'll also hear from Ms. Rogers, a maternal
9 fetal medicine specialist, who treated her during her
10 pregnancy because she was considered high risk because she
11 was on opioids and other controlled drugs prescribed by the
12 defendant. He'll tell you that he tried to get Ms. Rogers
13 weaned off because of the harm that the opioids could do to
14 her unborn child, [REDACTED], to no avail thanks to the
15 defendant.

16 You'll hear from what I call insiders, people who
17 worked in and around PREVENTAGENIX, people who were there to
18 witness the events unfold. You'll hear from the defendant's
19 first office manager, who will tell you how in the beginning,
20 Jeff Young seemed to want to help people. She'll tell you
21 that's why she followed him to PREVENTAGENIX from her
22 previous job, that she even had her parents come in and see
23 him as patients. But she'll tell you how over time things
24 spiralled, and the defendant got more and more out of
25 control. When she tried to pump the brakes on the

1 prescribing, Jeff Young fired her.

2 You'll hear from other employees at the clinic
3 about how the defendant would write anyone that worked there
4 whatever they wanted. No office visit necessary. No
5 questions asked.

6 And you'll see that most of the PREVENTAGENIX
7 employees were, in fact, getting controlled drugs in this
8 way, in care of Jeff Young. You'll hear how employees would
9 dismiss patients for failing drug screens, but Jeff Young
10 would bring them back.

11 Jeff Young's former employees will tell you how
12 they saw women come in through the back door of PREVENTAGENIX
13 and enter Young's private office during clinic hours, how
14 they could sometimes hear them having sex and that it wasn't
15 uncommon for these women to leave Young's office with a
16 prescription without setting foot in an exam room.

17 You'll hear things like office group chats, and
18 you'll see them between the defendant and his PREVENTAGENIX
19 employees. They'll point out when it was tap-that-ass
20 Tuesday or tap-that-ass Thursday, a reference to the sex the
21 defendant would have in his office.

22 Then there are the real patients, drug addicts
23 like Hope Rogers who Young prescribed opioids and Xanax
24 knowing she was pregnant, knowing she was running out of
25 those medications too fast, knowing the risk to Ms. Roger's

1 unborn child, [REDACTED]. And you'll hear about Trisha
2 Stansell, the opioid addicted mother of one of Mr. Young's
3 employees. You'll hear that even after that employee warned
4 Jeff Young that her mom was a drug seeker, Young prescribed
5 her opioids and other drugs more powerful and in a higher
6 quantity than Ms. Stansell had ever received before.

7 Finally, you'll hear from current and former law
8 enforcement officers and oversight personnel. I've already
9 mentioned the TBI agent Demarcus Scales sitting with us here.
10 We'll walk you through some of what Jeff Young said in
11 instant messages at the same time he was prescribing to
12 sexual partners, what he called VIPs.

13 In addition, you'll go inside the exam room,
14 because you're going to see video footage captured by two
15 female agents acting undercover who went and saw the
16 defendant. You'll see how Jeff Young interacts with him, and
17 pay attention to that, how he talks more about RockDoc TV
18 than he does about their medical issues.

19 You'll see how he doesn't bat an eye about seeing
20 them both at the same time, same consult. They'll tell you
21 they were perfectly healthy at the time. Yet, Jeff Young
22 started one of them on oxycodone and then added fentanyl,
23 fentanyl, at her request by the time of her third visit. She
24 was in her 20s at the time.

25 Remember how I mentioned earlier that Jeff Young

1 was investigated by the nursing board, how he called it a
2 witch hunt. We'll hear recordings of Jeff Young meeting with
3 the nursing board, Investigator Shirley Pickering. And
4 you'll hear him claim to her that he was following all the
5 rules.

6 You'll hear other witnesses tell you that Jeff
7 Young made similar claims to deceive his supervising
8 physicians. You see, the defendant is not actually a doctor.
9 He's a nurse practitioner. And in Tennessee, a nurse
10 practitioner like the defendant has to have a supervising
11 physician. Also, called a preceptor, to review and sign off
12 on his practice's charts. It's a type of oversight.

13 You'll hear how Jeff Young didn't like being
14 supervised, so he cycled through supervising physicians until
15 he found one of his buddies who was willing to do it from out
16 of state. You'll hear how Jeff Young called his out-of-state
17 buddy the perfect preceptor.

18 In the end less supervision and covering up and
19 concealing the truth about what was happening inside
20 PREVENTAGENIX, what he was doing with his prescription pad,
21 meant Jeff Young could continue to use his prescription pad
22 to get what the evidence will show he really wanted, what he
23 wanted more than anything else, sex, fame, money.

24 Members of the jury, when the evidence is in,
25 you'll be asked to decide whether the defendant committed

1 each of the crimes that his honor and my colleague told you
2 about beyond a reasonable doubt. And when the case is over,
3 my colleagues and I will have a chance to come up here and
4 address you again; and at that time, we will ask you for the
5 only verdict supported by this evidence: Guilty on all
6 counts. Thank you.

7 (Government opening statement concluded.)
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C E R T I F I C A T E

I, TINA DuBOSE GIBSON, do hereby certify that the foregoing 16 pages are, to the best of my knowledge, skill and abilities, a true and accurate transcript from my stenotype notes of the trial held on the 27th day of March, 2023, in the matter of:

UNITED STATES OF AMERICA

vs.

JEFFREY W. YOUNG, JR.

Dated this 30th day of April, 2024.

s/Tina DuBose Gibson

TINA DuBOSE GIBSON, RPR
Official Court Reporter
United States District Court
Western District of Tennessee